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Attorneys for Plaintiff  
MONSTER CABLE PRODUCTS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MONSTER CABLE PRODUCTS, INC.  
a California corporation,

Plaintiff,

vs.

MONSTER DADDY LLC, a corporation, and  
DOES ONE through TWENTY inclusive,

Defendant.

No. 3:07-cv-03272-SI

REQUEST FOR AND [PROPOSED] ORDER  
OF DISMISSAL WITH PREJUDICE

The Plaintiff, MONSTER CABLE PRODUCTS, INC., pursuant to Fed.R.Civ.P. 41(a)(1),  
having previously filed its Notice of Dismissal, dismissing all claims in this action without prejudice,  
and pursuant to the request by Defendant therefor, hereby requests that the Court order dismissal of  
the action WITH PREJUDICE, each party to bear its own costs, expenses and attorneys' fees.

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Monster Cable Products, Inc. v. Monster Daddy, LLC  
Request for and [Proposed] Order for Dismissal with Prejudice  
Case No. 3:07-cv-03272-SI

1  
2 Dated: July 25, 2008

3 Respectfully Submitted,

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5 LARIVIERE, GRUBMAN & PAYNE, LLP

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7  
8 By:

  
Robert W. Payne  
Attorneys for Plaintiff  
MONSTER CABLE PRODUCTS, INC.

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11  
12  
13 ORDER

14 Plaintiff having so requested, and Defendant not having appeared in this action, and good  
15 cause appearing therefor,

16 IT IS SO ORDERED.

17  
18 Dated: \_\_\_\_\_

19 \_\_\_\_\_  
20 HONORABLE JUDGE SUSAN ILLSTON  
21 UNITED STATES DISTRICT JUDGE  
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**CERTIFICATE OF SERVICE**

I am over 18 years of age and not a party to the within action. My business address is 19 Upper Ragsdale Drive, Suite 200, Monterey, California, 93940. On July 25, 2008, I served the following document:

**REQUEST FOR AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE**

by placing a true copy thereof enclosed in a sealed envelope and served in the manner described below to the interested parties herein and addressed to:

James Carter  
Monster Daddy, LLC  
P.O. Box 26855  
Greenville, SC 29616

Monster Daddy, LLC  
13 Ridgeland Drive  
Greenville, SC 29601

Scott Creasman, Esq.  
Taylor, Busch, Slipakoff & Duma, LLP  
1600 Parkwood Circle, Suite 200  
Atlanta, GA 30339

X **U.S. MAIL:** I caused such envelope(s) to be deposited in the mail at my business address, with postage thereon fully prepaid, addressed to the addresses(s) designated. I am readily familiar with the business' practice of collecting and processing correspondence to be deposited with the United States Postal Service on that same day in the ordinary course of business.

\_\_\_\_\_ **HAND DELIVERY:** I caused such envelope(s) to be delivered by hand to the addressee(s) designated.

\_\_\_\_\_ **BY FACSIMILE:** By use of facsimile machine telephone number (\*\*\*) \*\*\*-\*\*\*\*, I served a copy of the within document on the below parties at the facsimile number listed. The transmission was reported as complete and without error.

X **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on July 25, 2008, at Monterey, California.

  
Cheryl Bilgin  
Paralegal